

ORIGINAL

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FILED IN THE
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

FEB 21 2006

at 11 o'clock and 5 min. M
 SUE BEITIA, CLERK

Attorneys for Plaintiff
 OFELIA COLOYAN

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

OFELIA COLOYAN

Plaintiff,

vs.

WILLIAM BADUA, JEFFERY
 OMAI; SPENCER ANDERSON;
 NEIL PANG; and DOES 5-10

Defendants.

-) CIVIL NO. 03-00476-KSC
-) PLAINTIFF'S MOTION IN LIMINE
-) RE EXCLUSION OF ALL
-) EVIDENCE OF THE ALLEGED
-) CRIMINAL CONDUCT OF
-) ALLEN COLOYAN;
-) DECLARATION OF COUNSEL,
-) MEMORANDUM IN SUPPORT OF
-) PLAINTIFF'S MOTION IN LIMINE
-) RE EXCLUSION OF ALL
-) EVIDENCE OF THE ALLEGED
-) CRIMINAL CONDUCT OF
-) ALLEN COLOYAN; CERTIFICATE
-) OF SERVICE
-)
-) HEARING

)
) DATE: _____
)
) TIME _____
)
) JUDGE Hon Kevin C. S. Chang
)
) Trial is set for March 14, 2006, at
) 9:00 a. m.

PLAINTIFF'S MOTION IN LIMINE RE EXCLUSION OF ALL EVIDENCE OF
THE ALLEGED CRIMINAL CONDUCT OF ALLEN COLOYAN

Ofelia Coloyan Plaintiff above-named by and through her attorneys Jack Schweigert, Esq., Arthur e. Ross, Esq. and Rory Soares Toomey, Esq. files this motion in limine and respectfully moves the court as follows:

To instruct defendants and defendants' attorneys not to mention, refer to, or bring before the jury, directly or indirectly, upon voir dire examination, reading of the pleadings, statements of the case, interrogation of witnesses, argument, objections before the jury, or in any other manner, of any of the matters set forth below, unless and until such matters have first been called to the Court's attention out of the presence and hearing of the jury and a favorable ruling received as to the admissibility and relevance of such matters.

To instruct counsel for defendants to inform defendants and all witnesses called by defendants to refrain from mentioning or referring to, in any way, in the

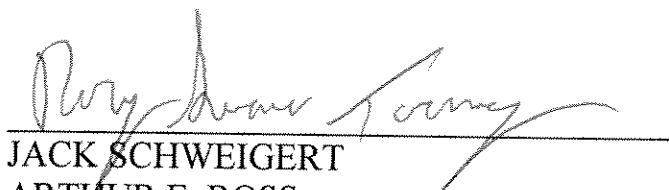
presence or hearing of the jury, any of the below-enumerated matters, unless specifically permitted to do so by ruling of the Court.

To instruct counsel for defendants that because violation of any of all these instructions would cause great harm to plaintiff's cause and would deprive the plaintiff of a fair impartial trial, the failure to abide by such order of the court may constitute contempt of court.

Counsel for defendants, defendants, and all witnesses will refrain from referring to or mentioning and Limiting the Defendants from presenting any evidence or any reference as to the alleged criminal conduct of Allen Coloyan.

This motion is brought pursuant to Rules 7 of the Federal Rules of Civil Procedure, LR 16.9 of the local rule, and Federal Rules of Evidence 401, 402, 403, 602, 607, 608 and 802. It is based upon the attached Declaration of Counsel, Memorandum of Law and all the records and files in this case.

DATED: Honolulu, Hawaii, February 21, 2006



JACK SCHWEIGERT
ARTHUR E. ROSS
RORY SOARES TOOMEY
Attorneys for Plaintiff
OFEILA COLOYAN

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

OFELIA COLOYAN)	CIVIL NO. 03-00476-KSC
)	
Plaintiff,)	CERTIFICATE OF SERVICE
)	
vs.)	
)	
WILLIAM BADUA, JEFFERY)	
OMAI; SPENCER ANDERSON;)	
NEIL PANG; and DOES 5-10)	
)	
Defendants.)	
)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 21, 2006, a copy of the attach
document was served upon:

KENDRA K. KAWAI [X] HAND DELIVERED
550 S. KING ST., Rm 110 [] UNITED STATES MAIL, first class
HONOLULU, HAWAII Postage prepaid

Attorney for Defendants
WILLIAM BADUA; SPENCER
ANDERSON , NEIL PANG

DATED: Honolulu, Hawaii, February 21, 2006


JACK SCHWEIGERT
RORY SOARES TOOMEY
Attorneys for Plaintiff
OFELIA COLOYAN